

4-4-1983

The Alledger, volume 02, number 11

The Alledger

Follow this and additional works at: <http://lawdigitalcommons.bc.edu/alledger>



Part of the [Legal Education Commons](#), and the [Legal History, Theory and Process Commons](#)

Recommended Citation

The Alledger, "The Alledger, volume 02, number 11" (1983). *The Alledger*. Book 21.
<http://lawdigitalcommons.bc.edu/alledger/21>

This Article is brought to you for free and open access by the Law School Archive at Digital Commons @ Boston College Law School. It has been accepted for inclusion in The Alledger by an authorized administrator of Digital Commons @ Boston College Law School. For more information, please contact nick.szydowski@bc.edu.

ALLEDGER

Vol. II, No. 11 • Boston College Law School • April 4, 1983

Arthur Berney Defects

Takes High Road to China

The Boston College Law School community was not entirely surprised to hear that a third member of the faculty recently decided to join the exodus abroad. Arthur Berney, reacting to "one Rehnquist opinion too many," decided to follow his hat and sought asylum in the embassy of the People's Republic of China in Washington, D.C. just over a week ago. Interviewed and photographed by an *Alledger* reporter while shopping in People's Market No. 4 in his new home, Shaoshan in Hunan Province, Professor Berney admitted to a combination of excitement and puzzlement. While he is happy to be in a more politically sympathetic climate, he said, "I miss my car." He confided

the he had been seriously planning defection ever since the announcement of Justice Rehnquist's opinion in *Paul v. Davis* ("Frankly, I saw the writing on the wall."), and that the recent news that Rehnquist will write the opinion in the Karen Silkwood appeal caused him to rush departure plans. "I just knew that I wasn't going to be able to deal with that," he admitted. Professor Berney likes his new one room apartment and is adjusting to life in Shaoshan, the quiet town where Chairman Mao was born. Casting his eyes around the public market where he agreed to meet with the *Alledger*, he said, "And I really prefer shopping in this market. But do you know where the meat section is?"



Former Professor Arthur Berney shopping for vegetables in the town of Shaoshan.

Big Business Comes to Newton

LSA Considers Fundraising Options

by S. Cheet

In an attempt to raise funds for future events, and to lighten any pressure to raise its fee, the Law Students Association has been considering several proposals for activities:

—publishing the collected works of Fred D. Grant, Jr.

—entering into a finance arrangement with Dan Winslow to promote his inventions. (Many third year students will recall Dan's idea for a male contraceptive. Although the inventor blushed each time he tried to explain the device, those in the LSA with inside information are certain it will be a success.)

—running their own shuttle bus service, at 25¢ a ride.

—publishing a special souvenir edition of all of this year's *Counselor's*, bound in a special library-quality printing.

—selling autographed 5 by 7 glossy photos of the National Mock Trial team, Scott Brown, and the people's choice, Ian Veitzer.

—sending teams of law students out into Newton to sell Dining Service cookies.

—running a car pool service for students who will park their cars out in Worcester.

—opening negotiations with Matthew Bender to publish a Reporter-Digest of their own, with possible topics being a collection of obscure and pedantic

opinions; new topics in Legal Ethics; or Rehnquist's Great Opinions.

—getting into print an International Dictionary, or alternatively putting out an Annual Survey of Mass. Law within a reasonable time after the year it's supposed to cover.

—and last but by no means least, overhauling the parking areas to accommodate the expanding population at the Law School. The LSA envisions building indoor parking, in light of the severe New England winters, and the problems of snow removal (or the lack of it). In searching for an appropriate spot for a parking garage, the LSA has looked at the possibility of gutting Hardey and Cushing Halls, redesigning the interior, and moving the displaced freshmen into all the lounges that can fit them, including the new Student Lounge, the Placement Lounge, and the Faculty Library. In order to pay for the new construction, an allotted number of spaces will be for rent, but the majority will be for sale, with financing terms available. Any unauthorized person found parking in the new garage will be shot on site. Anyone who takes up two spaces with one car will be punished by having to figure out the formula for the charitable deduction for corporations donating tangible personal property. The LSA hopes this plan will eliminate the continual grumbling heard from law students who have the audacity to complain when they receive tickets for parking on the grass when no other space is available.

Book Review

Tapdance Your Way to Success in the Courtroom:

A Student's Guide to Effective Oral Advocacy

By: Professor Seymour B. Loud,
N.E.W. School of Law
Published by Wild West Publishers,
Inc., 1983
\$12.95

by Sibyl Writes

Any law student who confronts the inevitable moot court argument, or Grimes, or any other arena of oral advocacy, should read this provocative and insightful book. Professor Loud, a leader in the field of oral advocacy, has written yet another treatise on his favorite subject (winemaking and herbal medicine aside). His other volumes on this theme include, *The Podium is Your Friend* (1981), *How to*

Answer 50 Questions in Twelve Minutes (1975), *Know Your Bailiff* (1971), and *Never Swear at a Judge* (1969).

Continuing his tradition of offering practical advice to the eager orator/student, Professor Loud explores the function of body language in an effective oral argument. He

continued on page 3

Free Review Lectures

FOR 1st & 2nd YEAR STUDENTS

ON THE FOLLOWING SUBJECTS:

Contracts and Sales
○ Constitutional Law
Criminal Law
Civil Procedure

Evidence
Property
Corporations
U.C.C.
Torts

These lectures should be helpful in developing a comprehensive overview of the material covered in the above-mentioned subjects. We invite you to attend without financial obligation. Please remember to bring a notebook and student ID. We look forward to assisting you in your exam preparation.

LECTURE SCHEDULE

	MON	TUES	WED	THU	FRI	SAT	SUN
	April 4	5	6	7	8	9	10
Morn							
Aft							
Eve		Civil Procedure I*	Civil Procedure II*				
Morn	11	12	13				17
Aft							
Eve	Torts I	U.C.C. 3	Contracts				
Morn	18	19	20			23	24
Aft	Personal Tax	Estate & Gift Tax				Civil Procedure I	Civil Procedure II
Eve	Corporations						
	Criminal Procedure	U.C.C. 4 & 9	Sales				
Morn	25	26	27	Evidence I	Evidence I	Property I	May 1
Aft				Criminal Law	Evidence II	Property II	Civil Procedure I
Eve	Personal Tax	Estate & Gift Tax	Evidence I	Evidence II			Civil Procedure II
Morn	2	3	4	5	6	7	8
Aft	Criminal Procedure	Property I	Contracts	Civil Procedure II	Con. Law I	Torts I	Corporations
Eve	U.C.C. 4 & 9	Property II	Civil Procedure I	Contracts	Con. Law II	Torts II	Contracts
Morn	9	10	11	12	13	14	15
Aft	Contracts	Torts I	Torts II	Corporations			
Eve	Torts I	Property I	Contracts	U.C.C. 3	U.C.C. 4 & 9	Contracts	Civil Procedure I
Morn	16	17	18	19	20	21	22
Aft	Torts II	Property II	Wills	Con. Law I	Con. Law II	Wills	Civil Procedure II
Eve	Evidence I	Con. Law I	Wills	Property I			
Morn	Evidence II	Con. Law II	Sales	Property II			
Aft	U.C.C. 3	U.C.C. 4 & 9	Property I	Property II			
Eve							

Call For FREE brochure with details on our First-Year Review texts for finals in two formats.

Live lectures by Walter H. McLaughlin Jr.

Location:
 All classes will be held at 195 State St., second floor classroom.

Times:
 Classes begin at:
 Mornings: 9:00 a.m. Afternoons: 1:00 p.m.
 Evenings: 6:00 p.m.
 Each subject will be offered more than once.
 Students may arrange a convenient schedule.

NB:
 Some subjects are reviewed in two lectures. In order to cover these subjects in their entirety, a student should attend both sessions.

For further information, contact:

SMH BAR REVIEW
 (617) 742-3900

195 State St., Boston, MA 02109
 Outside Massachusetts, call:
 (800) 343-9188

Announcements

B.C. Law alumnus Paul Newman will be a featured speaker at the Placement Office's next panel discussion on the topics: How to Obtain Clients, Office Cleanliness, and Relating to Your Secretary. Mr. Newman will also be asked to give his reminiscences of life at the top, starting with the Law Review.

Dean Huber has announced that Professor Emil Slizewski will appear on the May 6 episode of "That's Incredible", as a law school professor who can sum up the Rule against Perpetuities in under one hour. Tickets to a special law school screening will be available soon.

The faculty at their last meeting issued new sanctions to be applied to professors who submit their grades late:

- sit in on Dean Huber's ethics class for a semester
- take their own final exams
- then having to read and grade their own answers
- be a guest speaker at a PAD luncheon meeting
- have to wait on line at a Savin in the library the day first year briefs are due
- be barred from the new Faculty Library
- give up their parking permits and be forced to park in Outer Mongolia (which is beyond the Quonset Hut) or take the new LSA car pool plan in from Worcester.

After discovering that their funds had been slashed 89% due to federal cutbacks, the Legal Assistance Bureau secretly decided last September to begin taking big money cases on a contingency fee basis. The **Alledger** has discovered that the LAB recently obtained a \$3.4 million settlement in the case of *King v. Dukakis*. The LAB is now investigating the possibility of loaning some of this money to the Law School to help its financial situation.

The former head of the Environmental Protection Agency, Anne Burford, has accepted an offer from the faculty to be a Visiting Professor next fall. She will teach courses in Environmental Law and The Law of Executive Privilege. Mrs. Burford was hired over several other applicants, due to her admitted expertise and immediate availability.

A vicious rumor has been spreading that Prof. Plater is engaged to the entire female part of the first year class. This rumor seemed to receive some confirmation when all the women in the first year class showed up at police headquarters on the main campus to assist in the search for Prof. Plater, right after he was reported missing recently.

Tapdance

continued from page 1

asserts, "...judges are always talking about 'standing.' I agree with them: you **must** stand up straight when you talk. Slouching is often a sign of nervousness, unpreparedness, and even malnutrition. Judges will be favorably impressed by good posture."

Other helpful caveats from Professor Loud range from hair grooming to handshakes. He suggests, "Wash your hair the night before your argument. Judges like clean hair as much as they do clean hands." (Such witty yet critical language is a trademark of Professor Loud's treatise.)

Even more practical advice can be found in a chapter entitled "Squeezing the Blood out of the Podium." In this chapter, the professor theorizes that every effective speaker must look slightly martyr-like while making his or her plea. A firm grasp on the podium creates the image of a captain at the wheel of a ship in a storm. He writes, "As the questions from the judges hit you, you must wither steer your way to safer waters or sink." He advises that when you feel you are sinking, you may release your grip on the podium and

forcefully crack your knuckles, to let the judges know that they should back off before you drop.

Professor Loud also advises against tobacco chewing, scratching your head, picking your teeth, and other forms of indiscreet behavior while at the podium. Above all, he advises that you refrain from sweating profusely, as it may cause your notes to become blotchy and blurred, as if caught in a rainstorm.

On a more positive note, Professor Loud encourages students to use their body to their maximum advantage while arguing. For example, if you are short in height, and a judge asks you a particularly difficult question, one reply might be, "Well, your honor, I can't answer that because that information is in a case which is in a reporter that was placed too high on the stacks for me to reach." Similar strategies may be employed by those who wear glasses and contact lenses. Finally, Professor Loud reminds all students to dress well. As he summarizes, "most cases are not won on the merits by lawyers. They're won by the seat of your pants. Make sure you clothe it properly."

Rejection Letter Contest Results

ZIETZ MITTMAN & WEBSTER
ATTORNEYS AT LAW

1000 N. 10TH ST.
SUITE 200
DENVER, CO 80202
TELEPHONE 333-1234

November 3, 1982

First Prize:

Miss California
Congeniality Award

1515 Beacon Street, Apt. #9
Brookline, MA 02146

Dear Mr.:

This letter will acknowledge receipt of your letter dated October 8, 1982 and your enclosed resume which I have reviewed. I do want to indicate to you that we have no appropriate positions available at the present time. Our firm is engaged in a very specialized practice involving business, banking and insolvency law. Unfortunately, we have certain physical limitations within our office building. I will, however, retain your resume, and at any time I would be happy to chat with you concerning the practice of law here in the State of Rhode Island.

Very truly yours,

Richard S. Mittleman

RMS:p

First Prize:

SULLIVAN & WORCESTER
ONE POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02108
TELEPHONE 333-1234
TELEFAX 333-1234

Best Summary
Rejection by a
Secretary

October 8, 1982

(note the tell-tale initials)

20 Woodside Road
Newtonville, Massachusetts 02160

Dear Mr.:

Thank you for your recent letter. We have reviewed your resume, and we do not believe it would be productive to arrange an interview.

We appreciate your interest in Sullivan & Worcester.

Very truly yours,

Kerry R. Lyne

BRICKLEY, SEARS & COLE
1500 FEDERAL STREET
BOSTON, MASS 02110
AN ASSOCIATION

September 30, 1982

15 Charlesbank Road
Newton Corner, Massachusetts 02158

Dear Mr.:

Thank you for your recent letter. Unfortunately, we do not have any openings.

Good Luck.

Sincerely yours,

RLS:rr

Richard L. Brickley

First Prize:

Best Summary
rejection by an
Attorney

Why do you
suppose they
used an entire
sheet of
stationary?

B.C. Goes to France?



by Ms. Joinder and Ms. Feasance



continued on page 6

ALLEDGER

Vol. II, No. II

Boston College Law School
885 Centre Street
Newton Centre, MA 02159
(617) 969-0100 (x4371)

Editor-in Chief: Sheryl Serreze
Managing Editor: Michael Kilkelly
Features Editor: Barbara Epstein
Photo Editor: Ian Veitzer
Entertainment Ed.: M.E. Murphy
Business Mgr.: Michael Clancy
Production Mgr.: Susan Taylor
Cartoonist: Ivy Main

Staff this issue: Fred Grant

The **Alledger** is published every other Monday, 14 times per academic year, for and by the students of Boston College Law School. We welcome submissions and contributions from all our readers. Manuscripts, news letters, ads, notices, etc. should reach us by 5 p.m. the Wednesday immediately preceding the intended publication date.

PoliceBlotterPolice BlotterPoliceBlotter PoliceBlotterPolice

Last week the plants in Stuart Hall were uprooted and taken to the Main Campus for questioning by the B.C. Five—O, regarding the mysterious disappearance of Prof. Zyg Plater. Prof. Plater was reported missing after Visiting Professor Anne Burford completed her initial interview in his office. Large leaves and loose soil were found scattered about his office, but police interrogation produced no leads from the plants, who were allowed to return to their pots. Police suspect the dirty deed was committed by a group of enraged baby seals, displaced Native Americans, and conservationists, angered by the consideration of Mrs. Burford for a teaching post here at B.C. Law.

In an unrelated incident, police are also investigating the suspicious activities of two second year students, who have been reported rooting around in various trash cans throughout the Newton campus.

LET US HELP YOU WITH YOUR FINALS CES/BRC LECTURES NO CHARGE

FREE OUTLINES

\$50. FREEZES COURSE PRICE

FIRST YEAR LECTURES

(Video Presentation)

LOCATION: Boston University
Law Auditorium

Civil Procedure by Professor Arthur R. Miller

Part I Monday April 4, 1983 – 6:30 p.m.-10:00 p.m.

Part II Tuesday April 5, 1983 – 6:30 p.m.-10:00 p.m.

Real Property by Professor Julian Juergensmeyer

Part I Wednesday April 6, 1983 – 6:30 p.m.-10:00 p.m.

Part II Thursday April 7, 1983 – 6:30 p.m.-10:00 p.m.

**Contracts by Professor Douglas Whaley – Saturday April 9, in
the Law School, Room 1570. 9 a.m. – 12:30 1 p.m. – 5 p.m.**

DISCOUNTS AVAILABLE

CPLR

By Professor Arthur R. Miller

(Video Presentation)

LOCATION: Harvard University, Pound Hall, Room 204
Part I Monday April 4, 1983 – 6:30 p.m. - 9:00 p.m.
Part II Tuesday April 5, 1983 – 6:30 p.m. - 9:30 p.m.
Part III Wednesday April 6, 1983 – 6:30 p.m. - 9:30 p.m.
Part IV Thursday April 7, 1983 – 6:30 p.m. - 9:30 p.m.

